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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,103	08/17/2001	Kavitha Vallari Devara	US 010405	5487

24737 7590 10/30/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
HOSSAIN, FARZANA E	

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,103

Applicant(s)

DEVARA ET AL.

Examiner

Farzana E. Hossain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8-29-06 has been entered.

Response to Amendment

2. This office action is in response to claims filed 06-27-06 and request for consideration filed 8-29-06. Claims 1-22 are original. Claim 23 is amended. Claim 24 is previously presented.

Response to Arguments

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's arguments filed 06/28/06 have been fully considered but they are not persuasive in regards to Ullman. The applicant argues that Ullman does not disclose formatting said retrieved, enhanced features according to predetermined criteria to generate a content list" (Page 3).

Ullman clearly discloses formatting the retrieved features according to predetermined criteria to generate a list (Column 7, lines 12-30, Column 8, lines 22-36, 41-67).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond et al (US 6,571,392 and hereafter referred to as "Zigmond") in view of Ullman et al (US 6,019,768 and hereafter referred to as "Ullman").

Regarding Claims 1, 15 and 20, Zigmond discloses a method and system for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4), the method comprising the steps of and the system comprising:

(a) a detection means, coupled to receive incoming television programs viewed by a user, for detecting incoming television signals from a plurality of sources for tag information identifying the source of the synchronized web simulcasts or a video

program with uniform resource locators (URLs) which identify Web pages which correspond to the program as receiver unit detects the resource identifiers as it receives the program via the interface unit and the decoding software of the digital processor (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) a communications means for establishing a communication channel to the source of the synchronized web simulcasts (Figure 2, 211);

(c) a control means retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(d) a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column 7, lines 18-31, 55-67), the control means coupled to the storage means the detection means and communications means, and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 4, 312, 303, Column 7, lines 47-54). Zigmond discloses a memory for storing computer readable code or software (Column 5, lines 60-67, Column 6, lines 1-3) and a processor (Figure 4, 303) operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond is silent on formatting the retrieved enhanced features or web pages to predetermined criteria to generate a content list.

Ullman discloses a method for managing television programs and their synchronized web simulcasts, the method comprising the steps of: a detection means for detecting incoming television signals from a plurality of sources for tag information identifying the source of the synchronized web simulcasts or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 1, 12, Figure 2, Column 4, lines 42-54, Column 5, lines 8-10); a communications means establishing a communication channel to the source of the synchronized web simulcasts (Figure 1, 20, Figure 5, 148, Column 4, lines 42-54, Column 5, lines 8-10); a control means for retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 2, 16, Figure 5, Column 9, lines 50-58, Column 7, lines 40-52) and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 2, 16, 18).

Ullman discloses the control means formatting the retrieved, enhanced features according to predetermined criteria to generate a content list (Column 8, lines 22-36, 41-67, Column 7, lines 12-30). Ullman discloses a processor (Column 5, lines 31-34). It is necessarily included that Ullman includes a memory for storing computer readable code or software as the receiver station includes software (Column 7, lines 34-51, Figure 4, 106) and the processor operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to formatting the retrieved, enhanced features according to

predetermined criteria to generate a content list (Column 8, lines 22-36, 41-67, Column 7, lines 12-30) as taught by Ullman in order to allow the viewer to view web pages related to a show at a later time (Column 8, lines 31-36) as disclosed by Ullman.

Regarding Claims 8 and 23, Zigmond discloses a method for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a method for presenting simulcast information, the method comprising executing operations on at least one user local data processing device (Figure 2, Figure 3, Figure 4) the method comprising the steps of and the operations comprising: (a) receiving a plurality of television programs or audio-visual information and their synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or one website simulcasting supplemental information relating to the audio-visual information or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c) determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Figure 2, 205, Figure 3, Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); and,

(c)(1)(i) if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67);

(c)(2)(i) if no (prior to the need of display of such information), establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval; (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond is silent on formatting the retrieved enhanced features according to predetermined criteria to generate a content list selectable by the viewer.

Ullman discloses a method for managing television programs and their synchronized web simulcasts (Column 4, lines 42-54), the method comprising the steps of: receiving a plurality of television programs and their synchronized web simulcasts (Figure 1, Column 4, lines 42-54); detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which

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correspond to the program (Figure 1, Column 4, lines 42-54, Column 5, lines 8-10); determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Column 8, lines 41-51, Column 9, lines 5-20); and, if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 1, 20, Figure 5, 148, Column 4, lines 42-54, Column 5, lines 8-10, Column 6, lines 20-23, Column 9, lines 5-20); downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Figure 1, 20, Figure 5, 148, Column 4, lines 42-54, Column 5, lines 8-10, Column 9, lines 5-20). Ullman discloses retrieving the enhanced features. Ullman discloses formatting the retrieved, enhanced features according to predetermined criteria to generate a content list selectable by the viewer (Column 8, lines 22-36, Column 7, lines 12-30), displaying the content list associated with the audio visual information (Column 8, lines 22-36, 41-67), receiving the choice indication response to the content list (Column 8, lines 22-36, 41-67) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information responsive to the choice (Column 7, lines 35-51, Column 5, lines 11-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to formatting the retrieved, enhanced features according to predetermined criteria to generate a content list selectable by a viewer (Column 8, lines 22-36, 41-67, Column 7, lines 12-30), displaying the content list associated with the audio visual information (Column 8, lines 22-36), receiving the choice indication response to the content list (Column 8, lines 22-

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36, 41-67) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information responsive to the choice (Column 7, lines 35-51, Column 5, lines 11-12) as taught by Ullman in order to allow the viewer to view web pages related to a show at a later time (Column 8, lines 31-36) as disclosed by Ullman.

Regarding Claims 2 and 9, Zigmond and Ullman disclose all the limitations of Claims 1 and 8 respectively. Ullman discloses presenting the content list to a viewer (Column 8, lines 22-36).

Regarding Claims 3, 13, 19 and 21, Zigmond and Ullman disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Ullman discloses the content listing includes information of enhanced feature description, source, stating time (Column 6, lines 40-49).

Regarding Claims 4 and 10, Zigmond and Ullman disclose all the limitations of Claims 1 and 8 respectively. Zigmond discloses selecting enhanced featured tied to a TV program by a viewer (Column 7, lines 47-54). Ullman discloses selecting enhanced featured tied to a TV program by a viewer (Column 5, lines 11-12, Column 8, lines 22-36, 41-67).

Regarding Claims 5 and 11, Zigmond and Ullman disclose all the limitations of Claims 4 and 8 respectively. Zigmond discloses displaying one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Column 7, lines 47-54). Ullman discloses displaying

one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Column 5, lines 11-12).

Regarding Claims 6, 14, 17 and 22, Zigmond and Ullman disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Ullman discloses the predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts or the URLs represent web sites and URLs are transmitted to the user and the number of the URLs of a source is based on the number of URLs sent to the user (Column 7, lines 12-29, 57-62).

Regarding Claim 7, Zigmond and Ullman disclose all the limitations of Claim 1. Zigmond discloses the source includes Internet (Figure 2). Ullman disclose the sources include Internet (Figure 2).

Regarding Claim 12, Zigmond and Ullman disclose all the limitations of Claim 8. Zigmond discloses displaying is performed interactively in response to the viewer's input (Column 7, lines 47-54). Ullman discloses displaying is performed interactively in response to the viewer's input (Column 5, lines 11-12).

Regarding Claims 16 and 18, Zigmond and Ullman disclose all the limitations of Claims 11 and 15 respectively. Ullman discloses the data representative of the plurality of the enhanced features is interactively created in advance (Column 7, lines 1-29, 57-62, Column 6, lines 17-20).

Regarding Claim 24, Zigmond and Ullman disclose all the limitations of Claim 23. Ullman disclose the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3).


Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH
October 16, 2006


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